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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of: **Yann Echelard et al.**Art Unit No.: **1645**Serial No.: **09/884,586**Examiner: **Quang Nguyen Ph.D.**Filed: **June 19, 2001**For: **Transgenically Produced Platelet Derived Growth Factor**Atty. Docket No.: **GTC-31**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO REVIVE APPLICATION UNDER 37 CFR §1.137(b)**

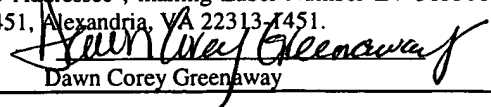
Applicant hereby petitions under 37 CFR 1.137(b) to revive the above application, which was abandoned for failure to respond to a Final Office Action mailed on October 21, 2003. This petition is filed within one year of the date of abandonment.

Applicant submits that a proper reply under 37 CFR 1.113(a) to the final rejection was filed on December 2, 2004 and received by the United States Patent and Trademark Office ("USPTO") on December 3, 2004. A copy of Applicant's December 2, 2004 filing, which includes a) Transmittal Letter, together with authorization to charge Applicant's Deposit Account for respective fees; b) Petition to Revive Application Under 37 CFR 1.137(b); c) Request for Continued Examination Transmittal; and d) Preliminary Amendment are included herewith as evidence of Applicant's proper filing. Also enclosed is a copy of the United States Postal Service's Express Mail Receipt evidencing that the above-mentioned documents were filed by Express Mail under Express Mail Label No. EV 506415693US. A copy of Applicant's return reply postcard is also enclosed which confirms the USPTO's December 3, 2004 receipt of said documents. Because Applicant has evidence that a proper reply was filed and received by the USPTO, it is Applicant's belief that an error has been made by the USPTO in transmitting said reply to the Examiner.

Applicant also notes that a telephonic voice-mail message was left for the Examiner concerning the status of this application. Applicant apologizes if the Examiner did not receive such message.

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

I hereby certify that under 37 CFR §1.10(a) that this correspondence is being deposited on January 14, 2005 with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee", mailing Label Number EV 585310857 US addressed to Mail Stop Petition Commissioner for Patents, PO BOX 1451, Alexandria, VA 22313-1451.

  
Dawn Corey Greenaway

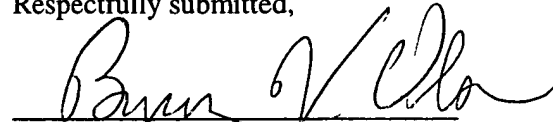
It is Applicant's belief that the proposed reply filed December 2, 2004 and received by the USPTO on December 3, 2004 was proper and as such Applicant respectfully requests that this Petition to Revive be granted. Moreover, should this Petition be granted, it is Applicant's understanding that the above-identified application will be prosecuted as a Request for Continued Examination. If the Examiner disagrees, or believes for any other reason that direct contact with Applicant's attorney would advance the revival and/or prosecution of the case, the Examiner is invited to telephone the undersigned at the number given below.

Early and favorable action is earnestly solicited.

Dated: 1/13/2005

Respectfully submitted,

By:



Byron V. Olsen, Reg. No. 42,960

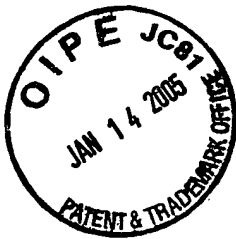
Attorney for Applicants

GTC Biotherapeutics, Inc.

175 Crossing Blvd., Suite 410

Framingham, MA 01702

Tel. #(508) 370-5150 Fax #(508) 370-3797



## BEST AVAILABLE COPY

### U.S. PATENT OFFICE FILING

Date Mailed: 12/2/2004

Attorney Docket No.: **GTC-31 RCE**

Applicant: **Echelard et al.**

Serial No.: **09/884,586**

Attorney: **Byron Olsen**

Filing Date: **06/19/2001**

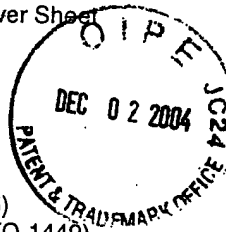
Title of Invention: **Transgenically Produced PDGF**

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☒ Express Mail Label No.: EV 506415693 US

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|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| <input type="checkbox"/> Provisional Application for Patent Cover Sheet                                             | <input type="checkbox"/> Response to Missing Parts                        |
| <input type="checkbox"/> Utility Patent Application Transmittal                                                     | <input checked="" type="checkbox"/> Amendment/Reply                       |
| <input type="checkbox"/> Fee Transmittal Form                                                                       | <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission |
| <input type="checkbox"/> _____ pages Specification                                                                  | <input type="checkbox"/> Extension of Time Request                        |
| <input type="checkbox"/> _____ sheets Drawings                                                                      | <input type="checkbox"/> Notice of Appeal                                 |
| <input type="checkbox"/> Declaration and Power of Attorney                                                          | <input type="checkbox"/> Appeal Brief                                     |
| <input type="checkbox"/> Assignment Papers                                                                          | <input type="checkbox"/> Issue Fee Transmittal                            |
| <input type="checkbox"/> Non Publication Request (PTO/SB/35)                                                        |                                                                           |
| <input type="checkbox"/> Information Disclosure Statement (PTO-1449)                                                |                                                                           |
| <input type="checkbox"/> Copies of IDS Citations                                                                    |                                                                           |
| <input checked="" type="checkbox"/> Other: <u>Petition to Revive Application; Request for Continued Examination</u> |                                                                           |





EV 506415693 US



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Yann Echelard et al

Art Unit No.: 1645

Serial No.: 09/884,586

Examiner: Quang Nguyen Ph.D.

Filed: June 19, 2001

For: Transgenically Produced Platelet Derived Growth Factor

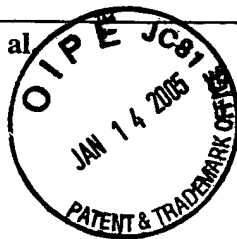
Attorney Docket Number: GTC-31

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450



TRANSMITTAL LETTER WITH  
AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Dear Sir:

This correspondence contains the following items:

- Transmittal Letter with Authorization to Charge Deposit Account
- Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b)
- Request for Continued Examination
- Preliminary Amendment
- Postcard

Item	Citation	Calculation	Amount
Petition for Revival fee	1.17 (m)	Small entity	\$665.00
RCE Filing Fee	37 CFR 1.114	Small entity	\$395.00
TOTAL			\$1060.00

The Commissioner for Patents is hereby authorized to charge the fee listed above, and any other fees under 37 CFR 1.16, 1.17 and 1.114 which may be required during the entire pendency of this application, to Deposit Account No. 502092.

Respectfully Submitted,

Date: 12/2/04

By:

Byron V. Olsen, Reg. No. 42,960

ATTORNEY FOR APPLICANTS

GTC Biotherapeutics, Inc.

175 Crossing Blvd., Suite 410

Framingham, MA 01702

Tel. # (508) 370-5150

Fax # (508) 370-3797

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that under 37 CFR §1.10 that this correspondence is being deposited on Dec. 2, 2004 with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Dawn Corey Greenaway

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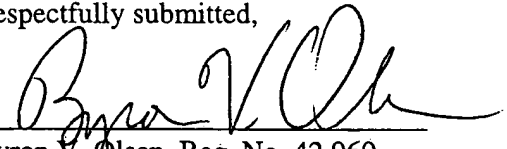
Applicant hereby petitions under 37 CFR 1.137(b) to revive the above application, which was abandoned for failure to respond to a Final Office Action mailed on October 21, 2003. Applicant submits that the entire period of delay was unintentional and due to a clerical error and a docketing failure. This petition is filed within one year of the date of abandonment.

Please apply the required fee of \$695 and any other charges or credits to Deposit Account No. 502092.

Respectfully submitted,

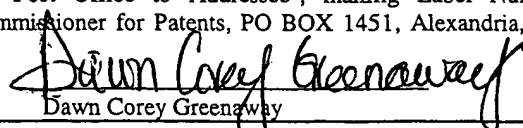
Dated: 12/02/04

By:

  
Byron V. Olsen, Reg. No. 42,960  
Attorney for Applicants  
GTC Biotherapeutics, Inc.  
175 Crossing Blvd., Suite 410  
Framingham, MA 01702  
Tel. #(508) 370-5150 Fax #(508) 370-3797

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Dawn Corey Greenaway

# U.S. PATENT OFFICE FILING

Attorney Docket No.: GTC-31 RCE  
Applicant: Echelard et al.  
Serial No.: 09/884,586

Date Mailed: 12/2/2004  
Attorney: Byron Olsen  
Filing Date: 06/19/2001

Title of Invention: Transgenically Produced PDGF

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